CALIFORNIA COASTAL COMMISSION
CENTRAL COAST DISTRICT OFFICE
725 FRONT STREET, SUITE 300
SANTA CRUZ, CA 95060
(831) 427-4863

P.7L-5/5/00

Th 12b

RECORD PACKET COPY

Filed:	03/09/00
49th Day:	04/27/00
180th Day:	09/05/00
Staff:	RB
Staff Report:	05/19/00
Hearing Date:	06/15/00
Commission Action:	
Open and Continue	04/10/00

STAFF REPORT: APPEAL
SUBSTANTIAL ISSUE DETERMINATION

Appeal Number..... **A-3-SLO-00-025**

Local Government..... San Luis Obispo County

Decision ..... Approved with conditions, 02/04/00

Applicant..... Bill Wesnousky/Omni Design Group, Inc.

Appellants ..... Commissioners Sara Wan and Pedro Nava

Project Location ..... Mattie Road (approximately 1,700 feet northwest of Shell Beach Road, west of City of Pismo Beach - San Luis Bay Planning Area), San Luis Obispo County.

Project Description..... Establish a temporary ("approximately 2.5 years") demonstration fabric residential structure, "clubhouse," and raised wooden decks, with a portable toilet and imported water supply; and improve a portion of an existing unpaved access road.

File Documents ..... San Luis Obispo County certified Local Coastal Program; "Archaeological Resources Within 'The Preserve' Project Area: An Updated Phase I Archaeological Survey" (SAIC, 1998); Coastal Development Permit D980252D.

Staff Recommendation..... **Substantial Issue**

EXECUTIVE SUMMARY

Staff recommends that the Commission determine that **a substantial issue** exists with respect to the grounds on which the appeal has been filed. Staff further recommends that the Commission then continue the *de novo* hearing of the permit, to allow staff to work with the applicant on a revised project.

The project is located in San Luis Obispo County, east of the City of Pismo Beach, on lands currently used for cattle grazing. The applicant proposes to establish a temporary ("approximately 2.5 years") demonstration campsite containing a 650 square foot fabric residential structure and 500 square foot "clubhouse", with a portable toilet and imported water supply. The structures will be placed on two raised wooden decks (approximately 1,200 and 2,000 square feet each), supported by piers and cross bracing, ranging from two to four feet above ground. Approximately 3,150 square feet of the site will be disturbed for the campsite, and approximately 7,730 square feet will be disturbed by access road improvements necessary to meet CDF/SLO County Fire Department minimum standards.

The appeal raises a substantial issue because it has not been shown that adequate on-site water exists to serve the development, as required by the LCP, and proposed improvements to the existing unpaved access road have the potential to both adversely impact the visual and scenic qualities of the area and disturb significant archaeological resources. Before bringing the project back to the Commission for a de novo review of the coastal development permit, staff will work with the applicant to address these and any other LCP concerns that may be raised by the project.

STAFF REPORT CONTENTS

1. SUMMARY OF APPELLANT'S CONTENTIONS

See Exhibit 4 for the full text of the appellant's contentions

1. The applicant proposes to transport water, via truck, onto the property on an ongoing basis for the next 2.5 years. The appellant claims that this development is inconsistent with Coastal Zone Land Use Ordinance Section 23.04.430(b) because it has not been shown that adequate on-site water exists. In addition, the proposal to transport water to the site is not a sustainable on-site solution for the provision of water services.

2. The appellant claims that the project is inconsistent with LCP Visual and Scenic Resource Policies 1, 2, 4, and 5 because the grading improvements proposed for the existing access road, which is visible from public viewing areas, will adversely impact the visual resources of the rural hillside, the basis for its designation as a Sensitive Resource Area.

3. The appellant alleges that the project is inconsistent with LCP Archaeological Resources Policy 1, as it will result in impacts to a significant archaeological resource and it is not evident that alternative measures, which would avoid or further minimize impacts to archaeological resources have been explored, or that adequate mitigation has been required.

2. LOCAL GOVERNMENT ACTION

The County of San Luis Obispo issued a mitigated negative declaration for this project on November 26, 1999 and the County's Zoning Administrator conditionally approved a coastal development permit (D980252D) for the project on February 4, 2000 (see Exhibit 8 for the County's conditions of approval).

3. APPEAL PROCEDURES

Coastal Act section 30603 provides for the appeal of approved coastal development permits in jurisdictions with certified local coastal programs for development that is (1) between the sea and the first public road paralleling the sea or within 300 feet of the inland extent of any beach or of the mean high tideline of the sea where there is no beach, whichever is the greater distance; (2) on tidelands, submerged lands, public trust lands, within 100 feet of any wetland, estuary, or stream, or within 300 feet of the top of the seaward face of any coastal bluff; (3) in a sensitive coastal resource area; (4) for counties, not designated as the principal permitted use under the zoning ordinance or zoning district map; and (5) any action on a major public works project or energy facility. This project is appealable because it is located in a sensitive coastal resource area designated by the LCP for protection of the significant visual resources of the rural hillside, and because a demonstration campsite (Rural Recreation and Camping) is not a principal permitted use in the Rural Lands land use category.

The grounds for appeal under section 30603 are limited to allegations that the development does not conform to the standards set forth in the certified local coastal program or the public access policies of the Coastal Act. Section 30625(b) of the Coastal Act requires the Commission to

conduct a *de novo* coastal development permit hearing on an appealed project unless a majority of the Commission finds that "no substantial issue" is raised by such allegations. Under section 30604(b), if the Commission conducts a *de novo* hearing, the Commission must find that the proposed development is in conformity with the certified local coastal program. Section 30604(c) also requires an additional specific finding that the development is in conformity with the public access and recreation policies of Chapter Three of the Coastal Act, if the project is located between the nearest public road and the sea or the shoreline of any body of water located within the coastal zone. This project is not located between the first public road and the sea.

4. STAFF RECOMMENDATION ON SUBSTANTIAL ISSUE

MOTION: ***I move that the Commission determine that Appeal No A-3-SLO-00-25 raises NO substantial issue with respect to the grounds on which the appeal has been filed under § 30603 of the Coastal Act.***

STAFF RECOMMENDATION:

Staff recommends a **NO** vote. Failure of this motion will result in a de novo hearing on the application, and adoption of the following resolution and findings. Passage of this motion will result in a finding of No Substantial Issue and the local action will become final and effective. The motion passes only by an affirmative vote of the majority of the Commissioners present.

RESOLUTION TO FIND SUBSTANTIAL ISSUE:

The Commission hereby finds that Appeal No. ***A-3-SLO-00-25*** presents a substantial issue with respect to the grounds on which the appeal has been filed under § 30603 of the Coastal Act regarding consistency with the Certified Local Coastal Plan and/or the public access and recreation policies of the Coastal Act.

5. RECOMMENDED FINDINGS AND DECLARATIONS

A. Project Location and Description

The project is located in San Luis Obispo County, east of the City of Pismo Beach, on the northeast side of Mattie Road (approximately 1,700 feet northwest of Shell Beach Road – please see Exhibit 1 for location maps). The site is within the Rural Lands land use category and is currently being used for cattle grazing. Although not related to this project, the City of Pismo Beach is currently considering a Sphere of Influence Change and annexation proposal that would provide for conversion of these rural County lands to City lands for future hotel, commercial, and residential development.

The applicant proposes to establish a temporary ("approximately 2.5 years") demonstration campsite containing one 650 square foot fabric residential structure and one 500 square foot

"clubhouse", with a portable toilet and imported water supply. The structures will be placed on two raised wooden decks (approximately 1,200 and 2,000 square feet each), supported by piers and cross bracing, ranging from two to four feet above ground. Approximately 3,150 square feet of the site will be disturbed for the campsite, and approximately 7,730 square feet will be disturbed by access road improvements necessary to meet CDF/SLO County Fire Department minimum standards. Please see Exhibit 2 for project plans.

As noted in the Developer's Statement (Exhibit 7), the applicant is proposing to establish this demonstration campsite for a temporary basis, in order to determine its feasibility as an "environmentally friendly, hi-tech camping concept." The structures will be located on raised wooden decks to minimize grading and limit site disturbance. Electricity will be supplied via solar panels and backup generators, water will be transported to the on-site water storage tank via truck, and portable toilets will be provided for sewage disposal; waste will be pumped into a nearby holding tank and removed by truck as needed.

Guests will be transported to the site, through a locked gate, in the camp's private vehicles. Including water delivery, solid removal, transporting guests, and staff trips, it is estimated that on average, 2 to 4 vehicle trips will be made per day. Guests will stay for two nights, and will be delivered breakfast and lunch by the staff, as there will be no food facilities in the structures. The applicant expects the campsite to be occupied 50% of the time, and when it is not occupied, the camp staff will monitor the structure until nightfall at which time they will vacate the premises.

B. Substantial Issue Analysis

The following subheadings represent the appellant's points of contention raised in the appeal and a discussion of applicable San Luis Obispo Local Coastal Program (LCP) Policies and Standards follow.

1. Water Supply

The appellant contends that the development is inconsistent with the following Section of the CZLUO because it has not been shown that adequate on-site water exists to serve the development.

> **Coastal Zone Land Use Ordinance (CZLUO) Section 23.04.430(b):** *Development outside the urban services line shall be approved only if it can be served by adequate on-site water and sewage disposal systems...*

The applicant proposes to transport water, via truck, to a 2,500 gallon on-site water storage tank on an ongoing basis for the next 2.5 years. Although the applicant states that this proposal further demonstrates the temporary nature of the project, it is not a sustainable on-site solution for the provision of water services to new development, as required by the LCP. Subsequent to the filing of the appeal, the applicant submitted information regarding an on-site well, located approximately 800 feet from the campsite, that may be used to serve the proposed development;

however, an analysis of the adequacy and potability of that water supply has not yet been completed.

As approved by the County, this project appears to be inconsistent with CZLUO Section 23.04.430 because it has not been shown that an adequate on-site water source exists and thus, a substantial issue is raised.

2. Visual and Scenic Resources

The appellant contends that the project is inconsistent with the following LCP Policies because grading improvements proposed for the existing access road, which is visible from public viewing areas, may adversely impact the visual resources of the rural hillside.

> **Policy 1 for Visual and Scenic Resources:** *Unique and attractive features of the landscape, including but not limited to unusual landforms, scenic vistas and sensitive habitats are to be preserved, protected, and in visually degraded areas restored where feasible.*
>
> **Policy 2 for Visual and Scenic Resources:** *Permitted development shall be sited as to protect views to and along the ocean and scenic coastal areas. Wherever possible, site selection for new development is to emphasize locations not visible from major public view corridors. In particular, new development should utilize slope created "pockets' to shield development and minimize visual intrusion.*
>
> **Policy 4 for Visual and Scenic Resources:** *New development shall be sited to minimize its visibility from public view corridors. Structures shall be designed (height, bulk, style) to be subordinate to, and blend with, the rural character of the area.*
>
> **Policy 5 for Visual and Scenic Resources:** *Grading, earthmoving, major vegetation removal and other landform alterations within public view corridors are to be minimized. Where feasible, contours of the finished surface are to blend with adjacent natural terrain to achieve a consistent grade and natural appearance.*

The project site is in a hilly, rural area that provides a scenic backdrop to the nearby City of Pismo Beach. The site slopes moderately to steeply upward from Mattie Road and almost the entire site is within a designated Sensitive Resource Area; the southern portion of the property, closest to Highway 101 (a portion of which is also Highway 1), is visible from public roads. It appears that the proposed campsite will not be visible from public viewing areas; however, the access road improvements will be visible from Highway 101 and Mattie Road.

The proposed project raises questions of consistency with LCP Policies 1, 2, 4, and 5 for Visual and Scenic Resources because the grading improvements proposed for the existing access road, which is visible from public viewing areas, may adversely impact the visual resources of the

rural hillside, the basis for its designation as a Sensitive Resource Area (see Exhibit 3 for access road improvements). Thus, a substantial issue is raised.

3. Archaeological Resources

The appellant alleges that the project is inconsistent with the following LCP Policy, as improvements to the existing access road may result in impacts to a significant archaeological resource.

> **Policy 1 for Archaeological Resources:** *...All available measures, including purchase, tax relief, purchase of development rights, etc., shall be explored at the time of a development proposal to avoid development on important archaeological sites. Where those measures are not feasible and development will adversely affect identified archaeological or paleontological resources, adequate mitigation shall be required.*

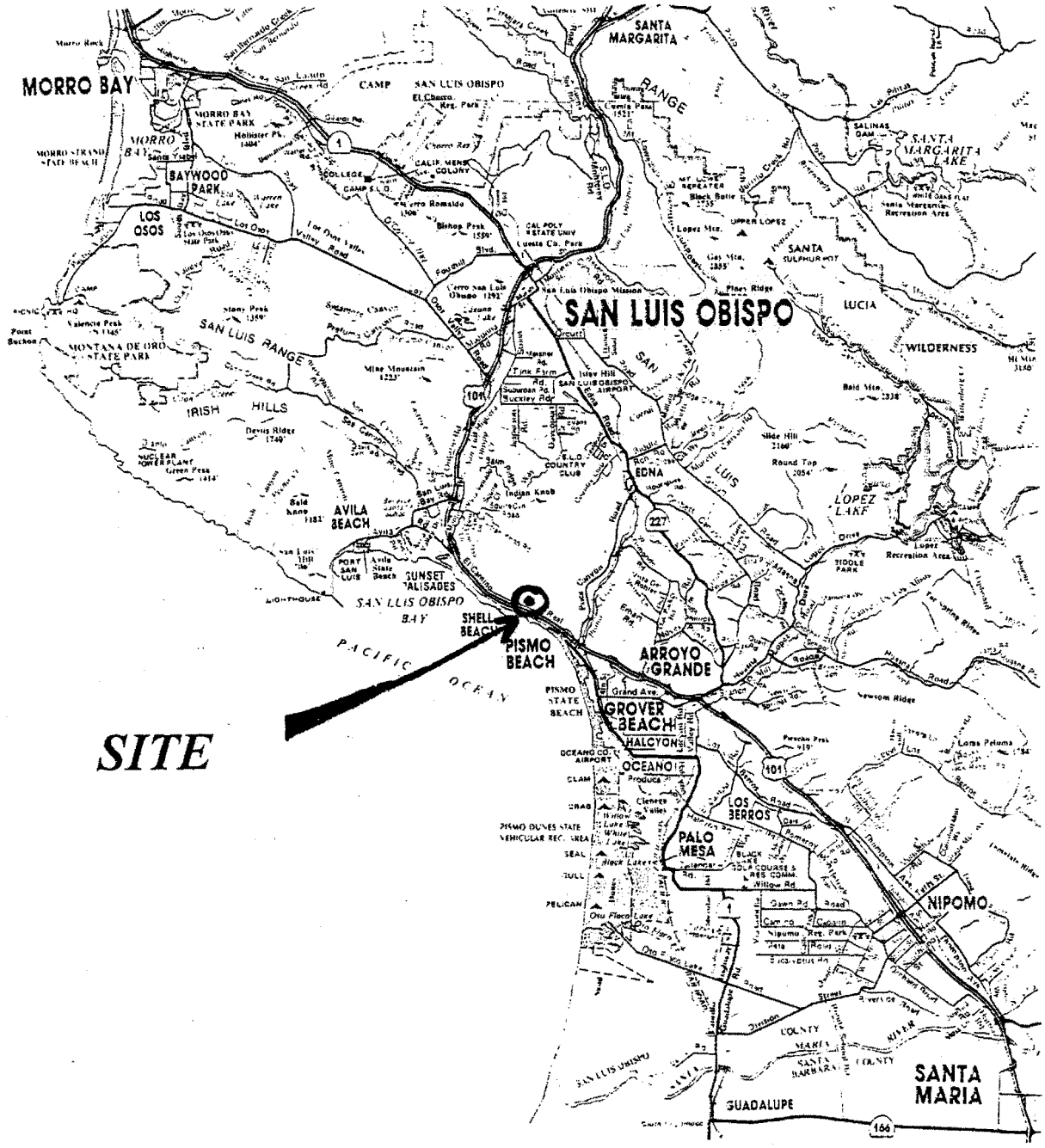
A portion of the access road traverses an archaeological site designated CA-SLO-80. The most recent archaeological study characterizes this site as a large, dark shell midden containing a wide diversity of artifacts and faunal remains, with a considerable size, depth and high density (see Exhibit 5). Minor improvements to the access road, necessary to meet CDF/SLO County Fire Department minimum standards, are proposed to take place within this archaeological site and have the potential to disturb sensitive resources.

The project may be inconsistent with LCP Policy 1 for Archaeological Resources, as it will result in impacts to a significant archaeological resource and it is not evident that alternative measures, which would avoid or further minimize impacts to archaeological resources have been explored, or that adequate mitigation has been required. Thus, a substantial issue is raised.

5. CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA)

Section 13096 of the California Code of Regulations requires that a specific finding be made in conjunction with coastal development permit applications showing the application to be consistent with the California Environmental Quality Act (CEQA). Section 21080.5(d)(2)(A) of CEQA prohibits a proposed development from being approved if there are feasible alternatives or feasible mitigation measures that would substantially lessen any significant adverse effect that the project may have on the environment. The County of San Luis Obispo certified a Mitigated Negative Declaration for the project on November 26, 1999. With respect to the appealed project, the Commission's review of this appeal has identified environmental impacts that have not been appropriately resolved by the project and the County's conditions of approval, and that raise a substantial issue with respect to conformance with the County's LCP. Thus, the project may have significant adverse impacts on the environment within the meaning of the California Environmental Quality Act that will be addressed in a de novo review of the coastal development permit for the project.

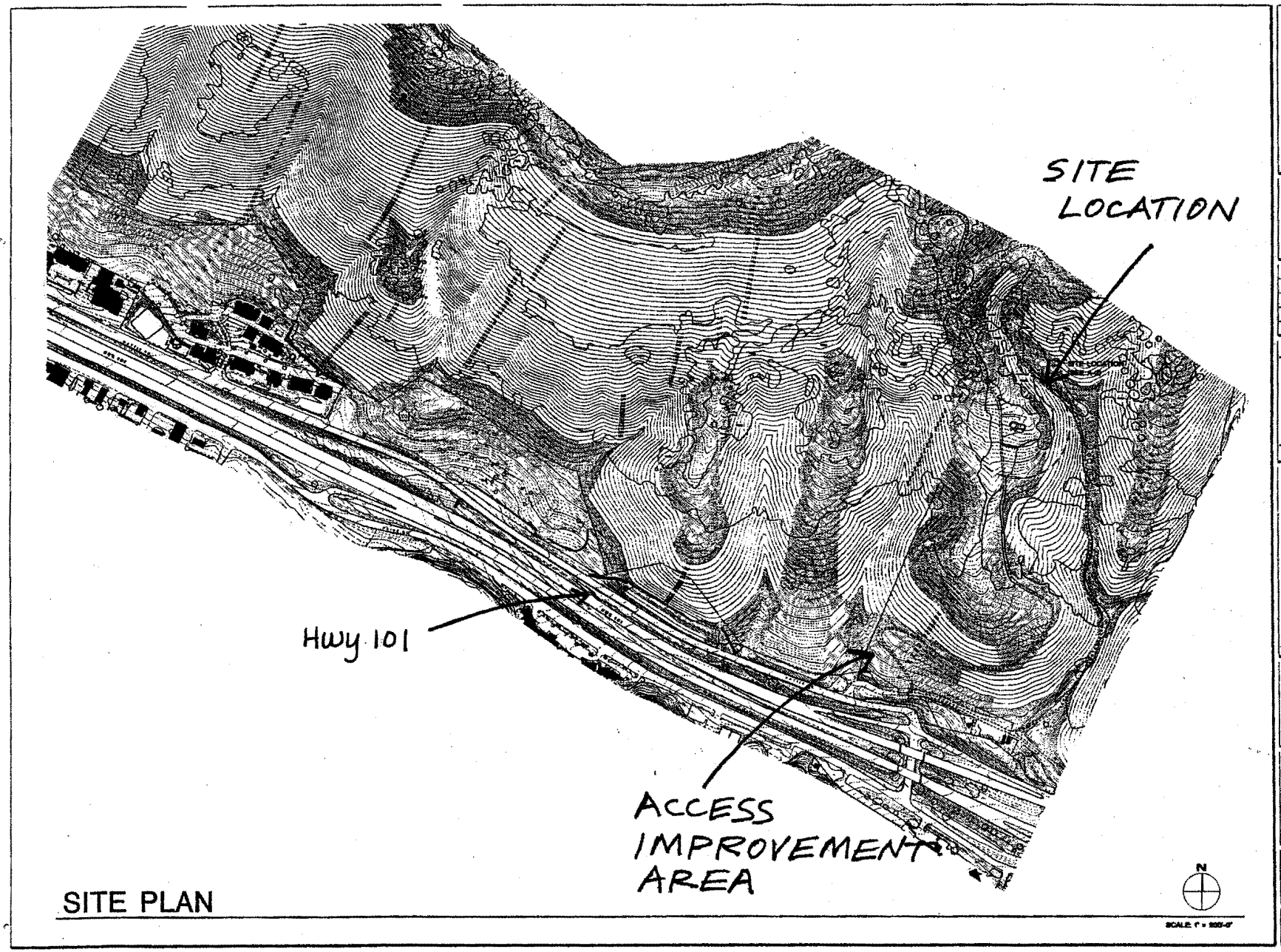
6. EXHIBITS



M&B & Wesnousky / OMNI

Vicinity Map

Exhibit 1
A-3-SLO-00-25



SITE PLAN

OMNI RESOURCE GROUP, INC.

JOB NO.: 407-01A
DATE: 4/22/99
DRAWN BY: MBD
CHECKED BY: DN
PROJECT MANAGER: MBD

@ CAMP

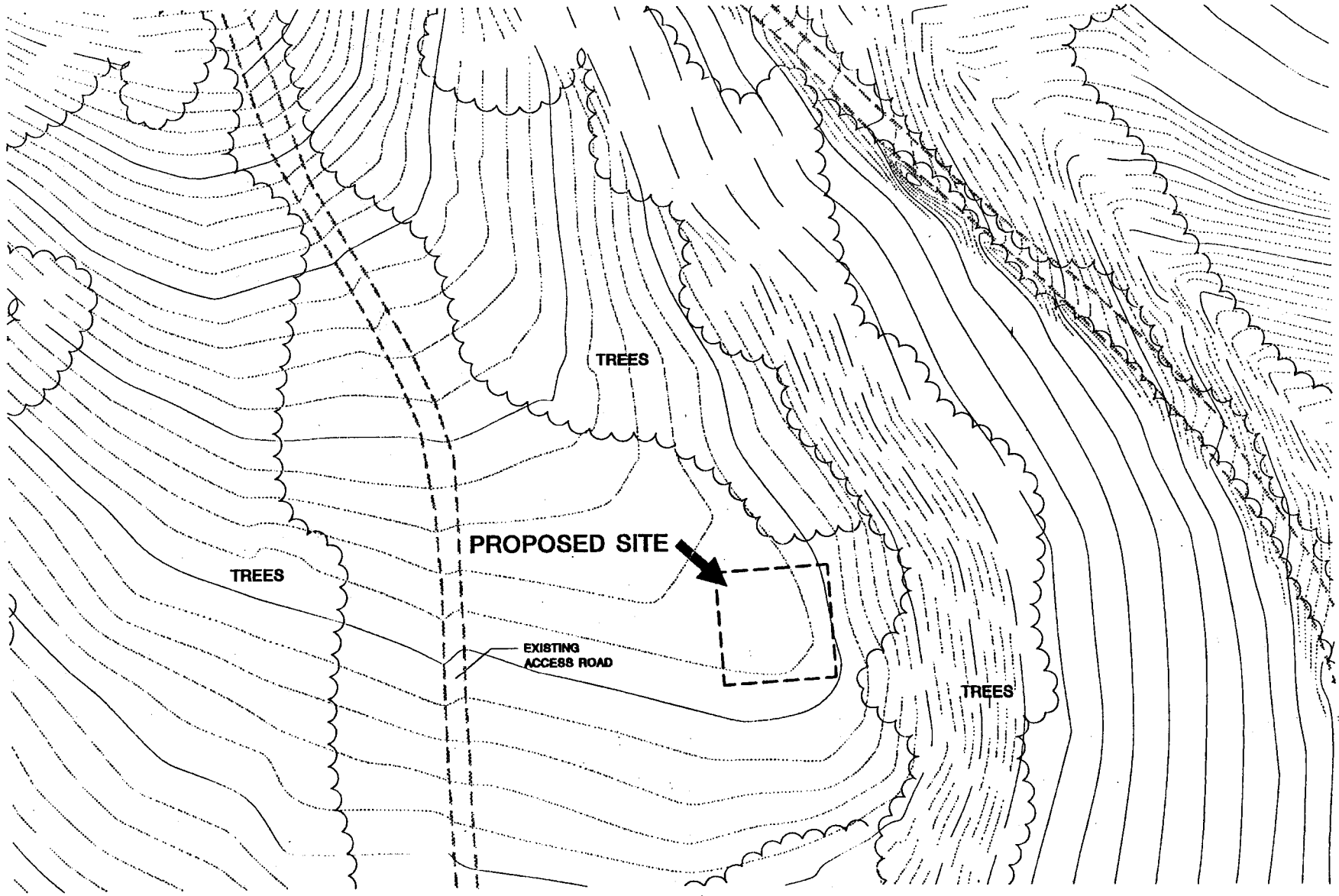
MINOR USE PERMIT
#D980232P

SITE PLAN

A-1

Project Plans
Exhibit 2
(1 of 6)

\\PUGSLYE DRIVE\DOG_Projects\464-01A_The Preserve_Brad Wilde\exhibit\407-01-A-1.dwg Tue Jun 22 09:30:48 1999 mbd



SITE PLAN

Exhibit 2
(2 of 6)

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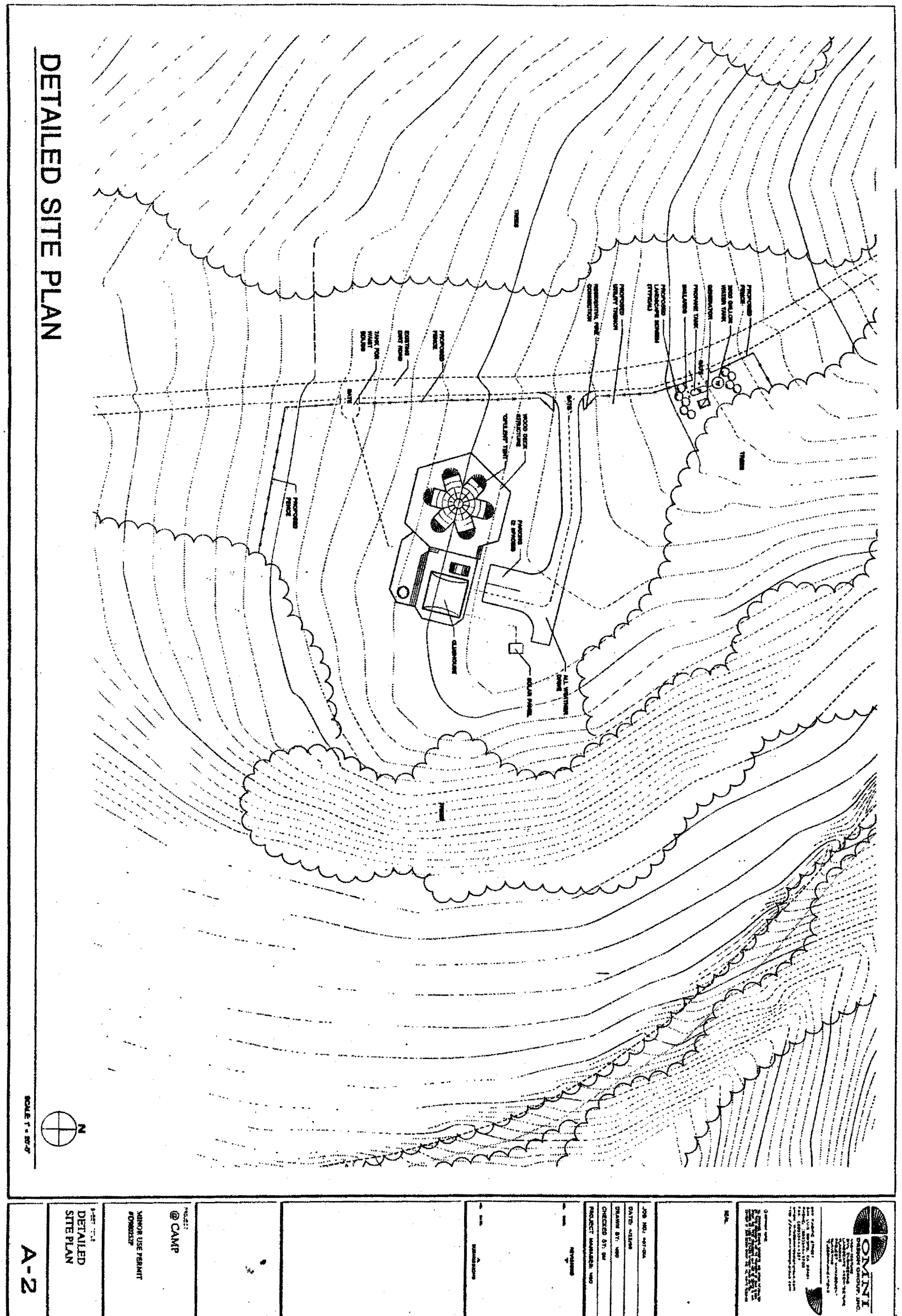
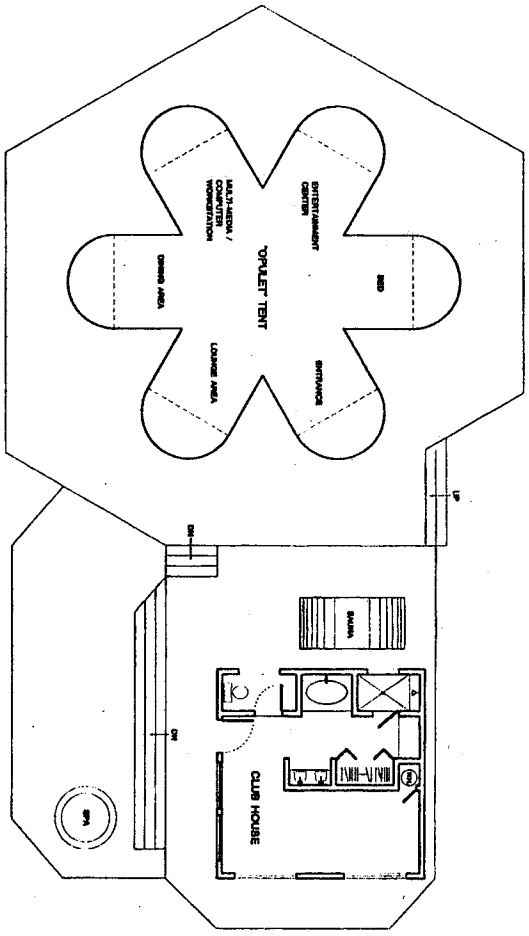


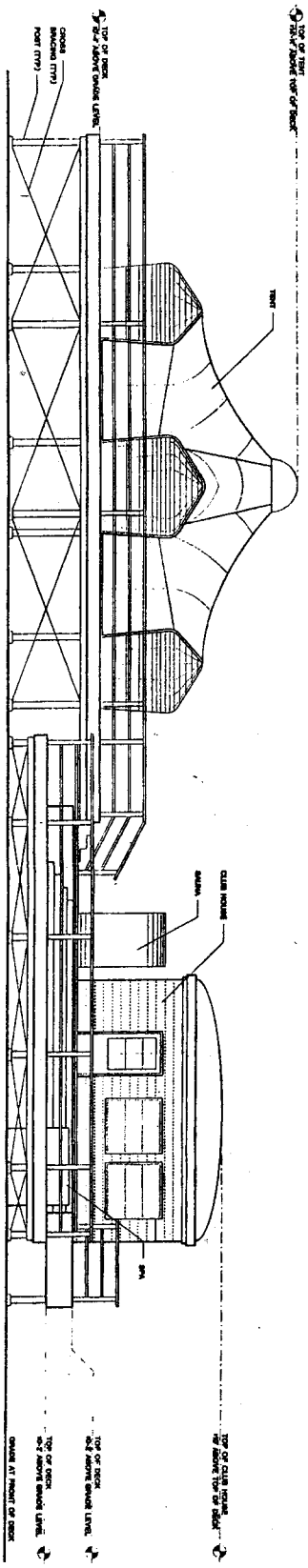
Exhibit 2
(3 of 6)

FLOOR PLANS



SCALE: 3/16" = 1'-0"

FRONT ELEVATION



SCALE: 1/4" = 1'-0"

OMNI DESIGN GROUP, INC.

JOB NO: 407-01A
DATE: 4/21/99
DRAWN BY: MBD
CHECKED BY: DM
PROJECT MANAGER: MBD

FLOOR PLANS/ ELEVATION

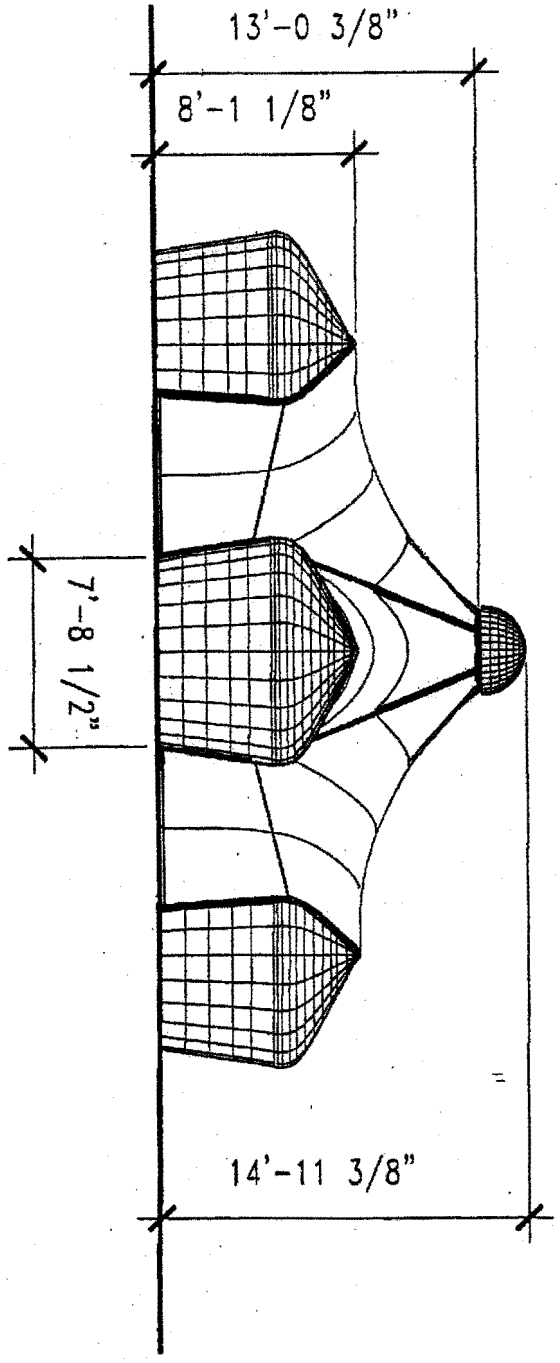
A-3

Exhibit 2
(4 of 6)

ASI
Advanced Structures Incorporated
1640 NINETEENTH STREET, SANTA MONICA, CA 90404
Tel: 310.828.0884
Fax: 310.828.1504

CAMP*US

OPULENT TENT ELEVATION



DRAWN BY: ST
DATE: 8/11/98
SCALE: 1-1/2":1'-0"

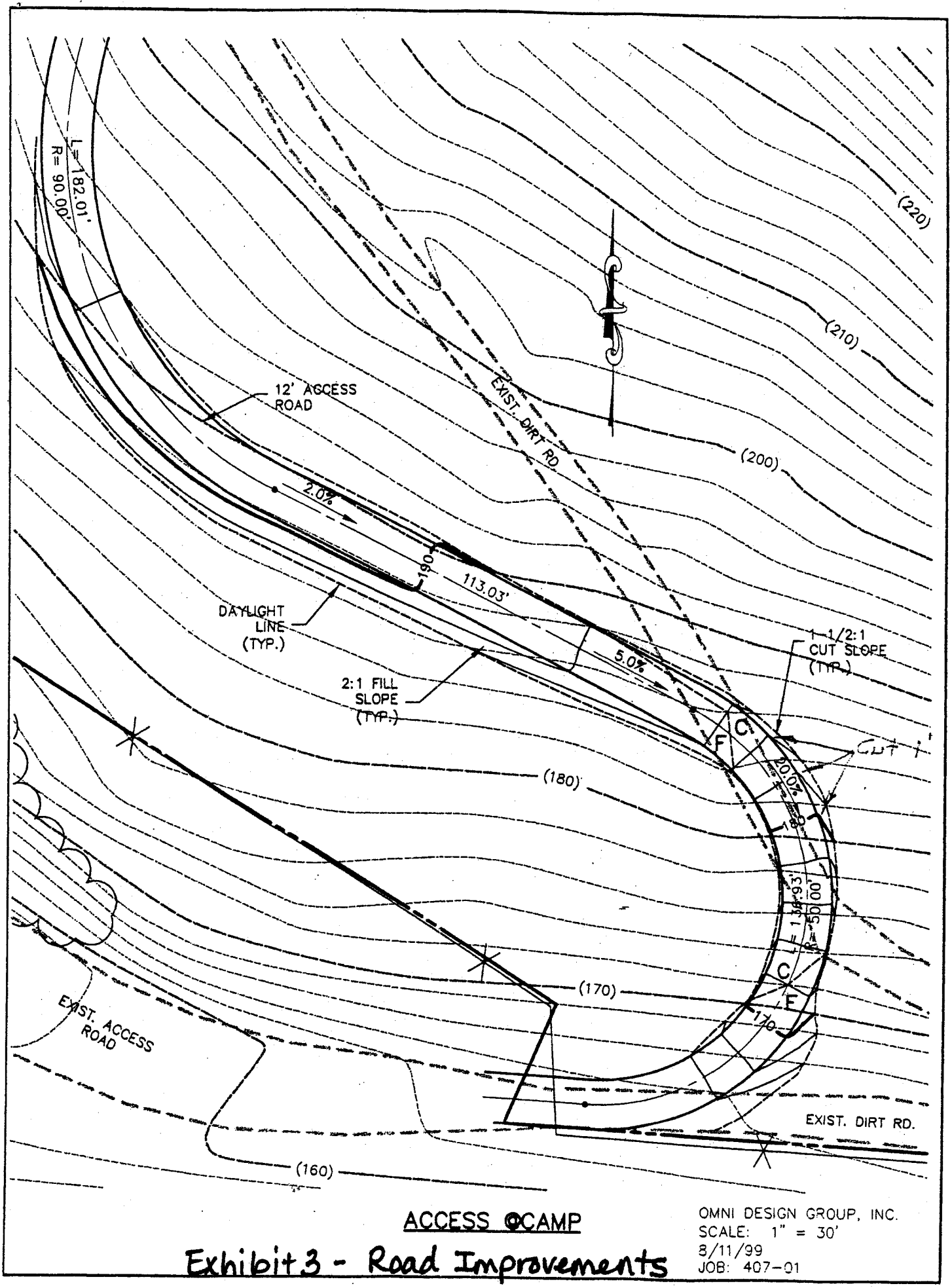
DWG. NO.: OPU-02

Exhibit 2
(5 of 6)

campsite

tent - 650 sq ft
clubhouse - 500 sq ft.
deck - approx 4 ft high.

Simulated campsite
Exhibit 2
(6 of 6)



ACCESS @ CAMP

Exhibit 3 - Road Improvements

OMNI DESIGN GROUP, INC.
SCALE: 1" = 30'
8/11/99
JOB: 407-01

STATE OF CALIFORNIA - THE RESOURCES AGENCY

Gray Davis, Governor

CALIFORNIA COASTAL COMMISSION

CENTRAL COAST DISTRICT OFFICE
725 FRONT STREET, SUITE 300
SANTA CRUZ, CA 95060
(831) 427-4863

APPEAL FROM COASTAL PERMIT DECISION OF LOCAL GOVERNMENT

Please review attached appeal information sheet prior to completing this form.

SECTION I. Appellant(s):

Name, mailing address and telephone number of appellant(s):
Commissioner Sara Wan
Commissioner Pedro Nava
California Coastal Commission
45 Fremont Street, Suite 2000, San Francisco, CA 94105 (415) 904-5200

SECTION II. Decision Being Appealed

1. Name of local/port government:
San Luis Obispo County

2. Brief description of development being appealed:
Establish a temporary (approximately 2.5 years), portable, one-unit campsite with a portable toilet and imported water supply; improve portion of an existing unpaved access road.

3. Development's location (street address, assessor's parcel number, cross street, etc.:
Northeast side of Mattie Road, approximately 1,700 feet northwest of Shell Beach Road, west of the City of Pismo Beach, San Luis Bay Planning Area (APN 079-231-002).

4. Description of decision being appealed:

a. Approval; no special conditions: _____
b. Approval with special conditions: X
c. Denial: _____

Note: For jurisdictions with a total LCP, denial decisions by a local government cannot be appealed unless the development is a major energy or public works project. Denial decisions by port governments are not appealable.

TO BE COMPLETED BY COMMISSION:

APPEAL NO: A-3-SLO-00-025
DATE FILED: 3/9/2000
DISTRICT: Central Coast District

Exhibit 4
(1 of 3)

APPEAL FROM COASTAL PERMIT DECISION OF LOCAL GOVERNMENT (PAGE 2)

5. Decision being appealed was made by (check one):

   a. X Planning Director/Zoning Administrator

   b. ___ City Council/Board of Supervisors

   c. ___ Planning Commission

   d. ___ Other:_____

6. Date of local government's decision: February 4,2000

7. Local government's file number: D980252D

SECTION III Identification of Other Interested Persons

Give the names and addresses of the following parties: (Use additional paper as necessary.)

a. Name and mailing address of permit applicant:
Bill Wesnousky

b. Names and mailing addresses as available of those who testified (either verbally or in writing) at the city/county/port hearings (s). Include other parties which you know to be interested and should receive notice of this appeal.

(1) Omni Design Group, Inc.
669 Pacific Street
San Luis Obispo, CA 93401

(2)

(3)

(4)

SECTION IV. Reasons Supporting This Appeal

Note: Appeals of local government coastal permit decisions are limited by a variety of factors and requirements of the Coastal Act. Please review the appeal information sheet for assistance in completing this section which continues on the next page.

APPEAL FROM COASTAL PERMIT DECISION OF LOCAL GOVERNMENT (PAGE 3)

Exhibit 4
(1a of 3)

APPEAL FROM COASTAL PERMIT C[illegible]ON OF LOCAL GOVERNMENT (P[illegible])

State briefly your reasons for this appeal. Include a summary description of Local Coastal Program, Land Use Plan, or Port Master Plan policies and requirements in which you believe the project is inconsistent and the reasons the decision warrants a new hearing. (Use additional paper as necessary.)

See attached

Note: The above description need not be a complete or exhaustive statement of your reasons of appeal; however, there must be sufficient discussion for staff to determine that the appeal is allowed by law. The appellant, subsequent to filing the appeal, may submit additional information to the staff and/or Commission to support the appeal request.

SECTION V. Certification

The information and facts stated above are correct to the best of my/our knowledge.

Signature of Appellant(s) or Authorized Agent

Date March 8, 2000

NOTE: If signed by agent, appellant(s) must also sign below.

Section VI. Agent Authorization

I/We hereby authorize _____ to act as my/our representative and to bind me/us in all matters concerning this appeal.

Signature of Appellant(s)

Date _____

Exhibit 4
(1 of 3)

APPEAL FROM COASTAL PERMIT DECISION OF LOCAL GOVERNMENT (Page 2)

State briefly your reasons for this appeal. Include a summary description of Local Coastal Program, Land Use Plan, or Port Master Plan policies and requirements in which you believe the project is inconsistent and the reasons the decision warrants a new hearing. (Use additional paper as necessary.)

See attached Reasons for Appeal

Note: The above description need not be a complete or exhaustive statement of your reasons of appeal; however, there must be sufficient discussion for staff to determine that the appeal is allowed by law. The appellant, subsequent to filing the appeal, may submit additional information to the staff and/or Commission to support the appeal request.

SECTION V. Certification

The information and facts stated above are correct to the best of my/our knowledge.

Signature of Appellant(s) or Authorized Agent

Date 3/08/2000

NOTE: If signed by agent, appellant(s) must also sign below.

Section VI. Agent Authorization

I/We hereby authorize _____ to act as my/our representative and to bind me/us in all matters concerning this appeal.

Signature of Appellant(s)

Date _____

Exhibit 4
(2 of 3)

STATE OF CALIFORNIA – THE RESOURCES AGENCY GRAY DAVIS, *Governor*

CALIFORNIA COASTAL COMMISSION
CENTRAL COAST DISTRICT OFFICE
725 FRONT STREET, SUITE 300
S[redacted]CRUZ, CA 95060
([redacted]-4863

Reasons for Appeal: San Luis Obispo County Coastal Development Permit D980252D (Wesnousky/Omni Design Group)

The proposed establishment of a temporary (approximately 2.5 years), portable, one-unit campsite with a portable toilet and imported water supply; requiring improvements to an existing accessway, is inconsistent with the policies and ordinances of the San Luis Obispo County Local Coastal Program, as detailed below.

San Luis Obispo County Coastal Zone Land Use Ordinance Section 23.04.430(b) requires that development proposed outside of the Urban Services Line (USL) shall be approved only if it can be served by adequate on-site water and sewage disposal systems. The applicant proposes to transport water, via truck, onto the property on an ongoing basis for the next 2.5 years. This development is inconsistent with this LCP Policy because it has not been shown that adequate on-site water exists. In addition, the proposal to transport water to the site is not a sustainable solution for the provision of water services.

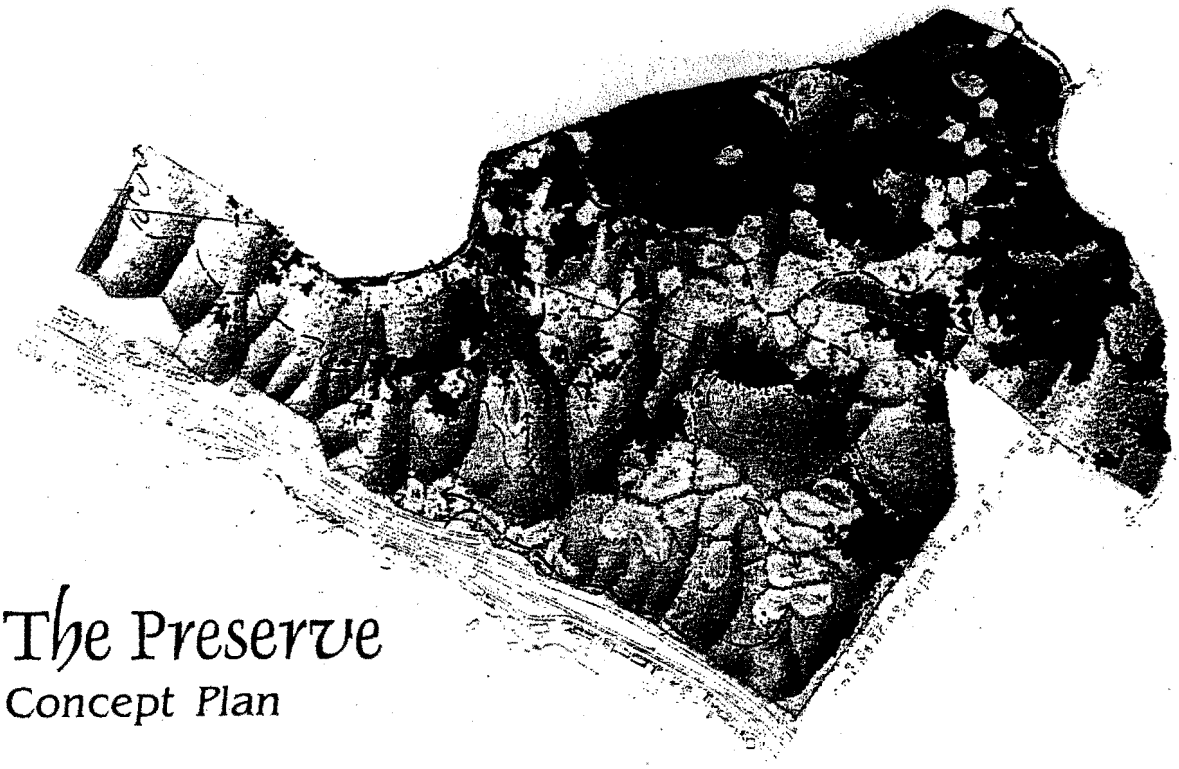
San Luis Obispo County LCP Visual and Scenic Resources Policies 1, 2, 4, and 5 serve to protect unique and attractive features of the landscape and require new construction to be subordinate to, and blend with, the rural character of the area, and require landform alterations within public view corridors to be minimized. The project is inconsistent with these policies because the grading improvements proposed for the existing access road, which is visible from public viewing areas, will adversely impact the visual resources of the rural hillside, the basis for its designation as a Sensitive Resource Area.

San Luis Obispo County LCP Archaeological Resources Policy 1 states that all available measures, including purchase, tax relief, purchase of development rights, etc., shall be explored at the time of the development proposal to avoid development on important archaeological sites. Where these measures are not feasible and development will adversely affect identified archaeological resources, adequate mitigation shall be required. The project is inconsistent with this policy, as it will result in impacts to a significant archaeological resource and it is not evident that alternative measures, which would avoid or further minimize impacts to archaeological resources have been explored, or that adequate mitigation has been required.

Exhibit 4
(3 of 3)

Archaeological Resources Within "The Preserve" Project Area

An Updated Phase I Archaeological Survey



The Preserve
Concept Plan

Submitted to

FLORIAN MARTINEZ ASSOCIATES

Prepared by

SAIC Science Applications International Corporation
An Employee-Owned Company

September 1998

Exhibit 5
(1 of 18)

Archaeological Resources Within "The Preserve" Project Area

An Updated Phase I Archaeological Survey

Submitted to

Florian Martinez Associates
15661 Redhill Avenue, Suite 150
Tustin, CA 92680-7322

Prepared by

Science Applications International Corporation
816 State Street, Suite 500
Santa Barbara, CA 93101

September 1998

Exhibit 5
(2 of 18)

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FIGURES, MAPS, AND TABLES

Exhibit 5
(3 of 18)

PHASE 1
ARCHAEOLOGICAL SURVEY AND RELOCATION OF TEN ARCHAEOLOGICAL SITES, THE PRESERVE DEVELOPMENT PROPERTY, PISMO BEACH, SAN LUIS OBISPO COUNTY, CALIFORNIA

By

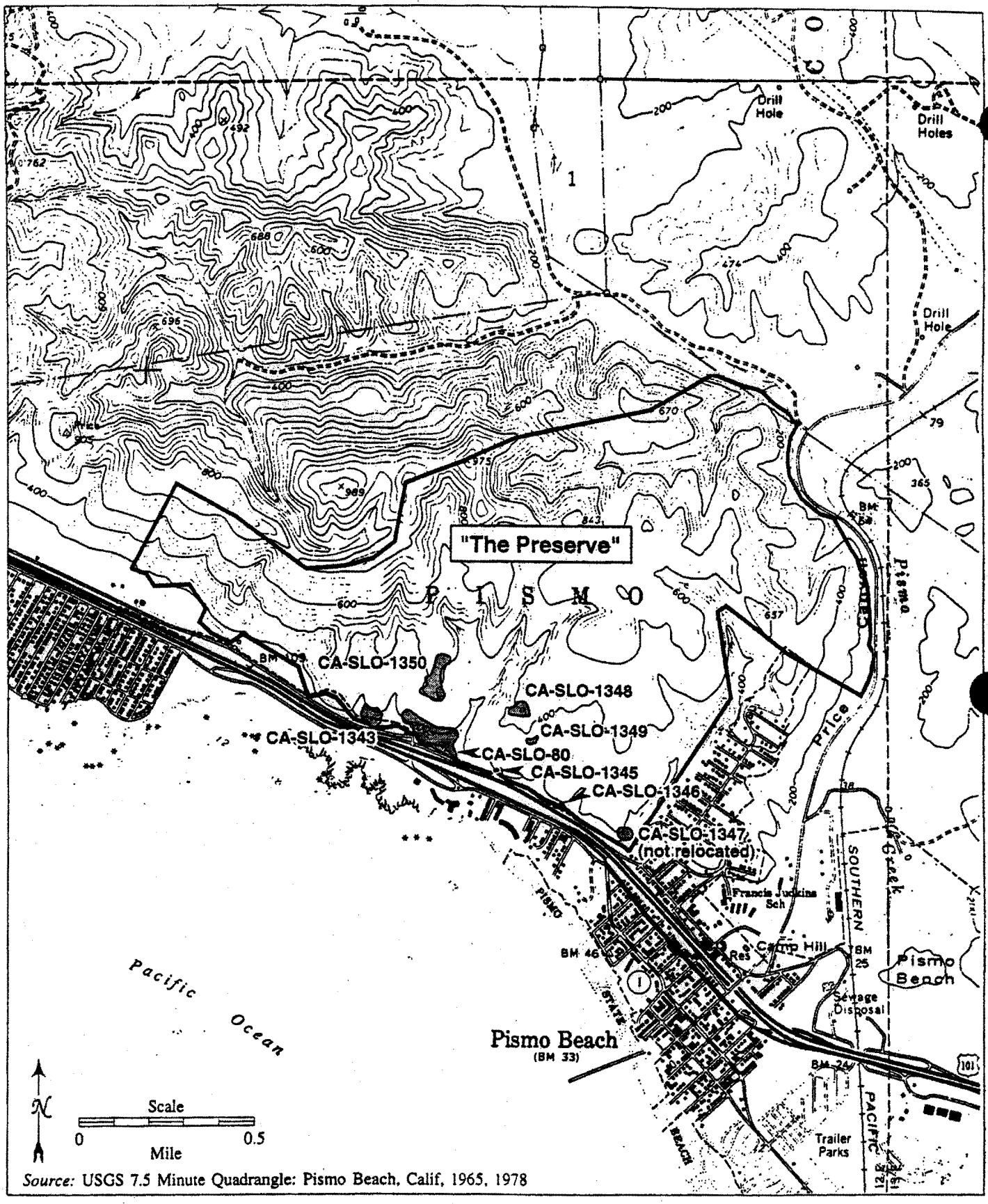
Larry A. Carbone, M.A. and Craig F. Woodman, M.A.

INTRODUCTION

This report presents the results of an intensive archaeological re-survey of 10 archaeological sites located within or adjacent to "The Preserve", a 889-acre proposed development located north of the City of Pismo Beach. The Preserve was previously surveyed in 1990 as part of a larger development proposal formerly known as "Pizmo Crest" (Singer and Atwood 1991). Since that time, the project has been redesigned, reduced in size and re-named The Preserve. To verify existing information and to assess curre4nt conditions of archaeological resources recorded within and immediately adjacent to The Preserve's boundaries, archaeologists from Science Applications International Corporation (SAIC), Santa Barbara conducted an intensive re-survey of the project area. The fieldwork was conducted from March 16 to March 19, 1998 by archaeologist Larry A. Carbone, M.A. under the direction of SAIC Cultural Resources Manager Craig F. Woodman, M.A.

PROJECT LOCATION AND SETTING

The project area is located on the hills and marine terraces overlooking the Pacific Ocean and the City of Pismo Beach to the south and the community of Shell Beach to the west (Figure 1). Price Canyon and Pismo Creek flank the project's easternmost boundary. Elevations range from less than 100 feet along the southern and eastern boundaries to 975 feet in the north. South-facing slopes have been de-nuded by grazing and are



Source: USGS 7.5 Minute Quadrangle: Pismo Beach, Calif, 1965, 1978

Figure 1. "The Preserve" Project Area and Archaeological Site Locations

Exhibit 5
(5 of 18)

covered by short, introduced grasses. These slopes are cut by narrow drainages filled with brushy vegetation. North-facing slopes are covered by chaparral and most hills and ridges exhibit native plants such as Coast Live oaks and manzanita bushes. Access to the site is gained through a locked gate near the Shell Beach freeway exit. Once through the gate, a dirt road extends north and provides access to the hills, ridgelines and terraces that form most of the project area.

BACKGROUND

The project area is located within the territory historically occupied by the Obispeño Chumash, the northernmost of the Chumashan-speaking peoples of California (Heizer 1978, Kroeber 1953). The Chumash Indians were remarkable for the complexity of social and economic organization developed while relying on a subsistence base of hunting, gathering, fishing and trading. Early ethnohistoric accounts by Spanish explorers and missionaries who first came in contact with Chumash living in the Santa Barbara are described a way of life involving high population densities, large sedentary village communities, a ranked system of sociopolitical organization, village specialization in craft production, shell bead money and an extended trade network that reached from the Channel Islands of California's central coast to the greater Southwest. The Chumash had a relatively sedentary settlement pattern and procured necessary resources by directly exploiting distant resource zones and through import and export activities. How this complex system arose is not well understood, but it seems to have developed from a simpler "Early Period" culture of small, relatively mobile groups who first occupied California's central coast approximately 9,000 years ago. Although there is considerable spatial variability, dietary reconstructions from archaeological materials generally suggest that shellfish and seeds were the most important foods to these ancient groups, although many land animals were also hunted (see Erlandson and Colten 1991 for an extensive review and discussion of coastal California's earliest cultures).

Identifying and explaining the mechanisms and dynamics behind the evolution from a simple to a complex society is at the core of most recent archaeological research in the Chumash region (e.g. Erlandson and Colten 1991; Jones and Waugh 1997, 1995; Glassow 1996, 1990; Woodman et al 1990; Erlandson 1991, 1994, 1997; Arnold 1992; King 1982). To explain such changes, researchers have focused on identifying changes in prehistoric diet, costs of food procurement, population growth, and the effects of paleoenvironmental change on settlement, subsistence and socio-

political organization over the last 10,000 years. However, most research has been conducted as part of cultural resource management projects, and as a result, has primarily focused on the Barbareño Chumash because most industrial, residential, and commercial development has occurred in the Santa Barbara Channel mainland. Intensive archaeological research into the prehistory of other Chumash groups such as the Obispeño has been relatively recent and only a small number of sites have been well investigated. Caltrans investigations in northern San Luis Obispo County are particulary notable (Jones and Waugh 1997, 1995).

Singer and Atwood (1991) provide a generalized picture of local Chumash society based in large part on extrapolations from the Santa Barbara Channel mainland:

> Pismo Beach was one of the places passed by the first European colonists to journey through Alta California. In 1769, the first expedition led by Gaspar de Portolá was journeying north toward Monterey when they crossed Pismo Creek and turned inland. The name Pismo is derived from the Obispeño word *pismu'*, meaning tar (Applegate 1975:38). Even though the Pismo Beach area was undoubtedly inhabited at the time, the early Spanish chroniclers who journeyed through the region mentioned no villages in this particular area (Gibson 1983). Generally speaking, the Chumash and their ancestors followed an annual cycle, which included fishing, fowling, hunting, and the harvesting of a broad range of native plants and animals. People lived in small hamlets, which usually consisted of several related families or in larger communities with many families and other kin groups. Large villages and smaller towns were situated along the coast, and in the interior canyons and valleys. An extensive commerce had flourished since earliest times, centering first on the exchange of luxury items, and later extending to consumer products and foods. Over the millennia Chumash populations adapted to changes in climate, shifts in plant and animal resources, and altered social conditions. By the time the Spanish arrived Chumash culture had developed into a stratified society with shell bead currency and a marine-based economic and social network which dominated the central and southern regions of California (Gibson 1983, Heizer 1978, King 1982). Aboriginal Chumash society began to collapse soon after the introduction of Old World diseases immediately after contact in 1542, and again after colonization in 1769. The disintegration of Chumash society can be linked directly to epidemic diseases with high mortality rates coupled with the exacerbating effects of Spanish 'missionization' (Singer and Atwood 1991:3).

Several main points suggest that such a highly generalized picture of Chumash adaptation developed for the Santa Barbara Channel does little to capture what must have been geographically as well as temporally varied phenomena. First, it is well recognized that the historically known Chumash culture is best described as a region-wide system of social and

economic interaction between seven distinct Chumash groups, each of which must have had a relatively unique history of development. Second, the Chumash and their predecessors occupied a large, environmentally diverse region reaching from San Luis Obispo to Malibu Canyon on the coast, as far inland as the San Joaquin Valley, and out to the Santa Barbara Channel Islands (Grant 1978). This area contained a variety of resource zones that differed widely in type, availability, and abundance of natural resources. These differences would foster regional variations in settlement and subsistence patterns. Third, major region-wide environmental fluctuations over time like rising sea levels and climatic changes as well as locally unique would have profoundly affected the location, availability and abundance of wild plant and animal populations. Local hunter-gatherer strategies must have varied considerably over the region, since these fluctuations affected local areas in different ways, depending on local topography, hydrology, and other physical characteristics. The many archaeological sites found in San Luis Obispo County thus have the potential to provide a greater understanding of the development and complexity of Chumash society and culture. Archaeological resources also have heritage values to modern Chumash. Prehistoric and ethnohistoric archaeological sites and objects they contain provide important cultural links to the past, and in recent years local Chumash have been getting more involved in the management of cultural resources.

THE 1990 ARCHAEOLOGICAL SURVEY

In 1990 Singer & Associates, Inc. performed a cultural resources survey and impact assessment of a 1,294-acre proposed housing/country club development known as "Pizmo Crest" (Singer and Atwood 1991). That project has been replaced by a smaller proposed development called "The Preserve", which totally lies within the 1990 survey area. Site record searches conducted at the Archaeological Information Center at the University of California, Santa Barbara, and the San Luis Obispo County Archaeological Society indicated, as of April 1990, only three archaeological sites (CA-SLO-883, -890, and -968H) had been recorded within the Pizmo Crest project area (none were located within The Preserve project area). The record search also indicated that only a small portion of the Pizmo Crest project area had been systematically surveyed for cultural resources (Dills 1978, Rudolph 1983).

Subsequent to the site record search, Singer and Atwood conducted an intensive surface archaeological survey of the Pizmo Crest project area: "With a few exceptions, the entire property was examined, either on foot, or from a slow moving vehicle. Steep slopes (>15%)

without heavy vegetation were visually inspected for such things as rock outcrops, springs, and other features. But chaparral covered slopes, which characterize the northern part of the property, were virtually ignored. All accessible ridges and hill tops were examined on foot. So too were the terraces and adjacent canyons, and the entire floodplain of Pismo Creek. During the course of the survey all three previously recorded archaeological sites were identified, and nine new sites were found and recorded" (Singer & Atwood 1991: 6-7).

1998 RE-SURVEY

METHODS

A Phase 1 re-survey of 10 archaeological sites recorded within and immediately adjacent to The Preserve project area was conducted in 1998 to verify existing information and assess the current condition of sites that may be affected by development. Sites investigated in 1998 include CA-SLO-80, -890, and -1343 through 1350 inclusively. Recorded sites were plotted on a US Geological Survey 7.5' series (1 inch = 2,000 feet) Pismo Beach, California quadrangle map. Using Singer's plots and the site survey record forms as guides for resource locations, specific study areas were examined to relocate known sites. All but one of these was relocated during the SAIC survey (see following notes for site CA-SLO-1347). The inventory of items noted in the field was compared with observations recorded during the 1990 surveys and updated, and the boundaries of sites were digitized and plotted on a high resolution (1 inch = 300 feet) topographic blackline map provided by M&B Capital Group L.L.C. See the map pocket of this report.

At the time of the 1998 survey the vegetation in the project area was very dense, affording little ground exposure and poor surface visibility, averaging between 1 and 5 percent. Heavy winter rains had caused prolific growth of grasses and weeds, especially wild mustard and artichoke/thistle. The 1990 survey was completed in October when the vegetation was dried and sparse, and ground exposure was greatly increased by cattle trampling, estimated to be near 90 percent. As part of the 1998 survey, Mr. Omberto, a rancher who has leased a portion of the property for cattle grazing over the past ten years, was consulted and proved very helpful in describing the seasonal vegetation and drainage changes that the general area experiences. Due to the latest vegetation conditions, surface scrapes with a shovel were used at most locations to enhance ground visibility and examine site dimensions.

RESULTS

Eight of 10 recorded sites examined in 1998 proved to be within The Preserve (Figure 1 and map in map pocket). Summaries of all re-surveyed sites are provided below and summarized in Table 1.

Table 1. Archaeological Resources Investigated during the 1998 Re-Survey

Site Number	*Site Description*	*Area in meters²*	*Within "The Preserve" Project Area*
CA-SLO-80	Shell midden, chipped stone and ground stone present	262,498.8	X
CA-SLO-890	Chipped stone and shell scatter	Unknown (site has been capped with fill)	
CA-SLO-1343	Chipped stone and shell scatter	68,997.5	X
CA-SLO-1344	Chipped stone, bone and shell scatter	Unknown (site has been capped with fill)	
CA-SLO-1345	Artifact scatter	1,633.4	X
CA-SLO-1346	Chipped stone and shell scatter	2,282.8	X
CA-SLO-1347	No artifacts seen. Possibly not an actual site	?	X
CA-SLO-1348	Chipped stone and shell scatter	51,243.7	X
CA-SLO-1349	Shell concentration	11,481.7	X
CA-SLO-1350	Chipped stone scatter	145,221.4	X

CA-SLO-80 — This site is recorded as a dark shell midden located north of the Pacific Coast Highway, approximately 250 m north of the ocean. The site may have extended to the ocean, but construction of the highway obliterated much of the site's original extent. A portion of the site has been and surveyed (Rudolph 1983) and tested (Gibson 1983) as part of a drilling pad construction project. Gibson found the site extended to a depth of 140 cm and contained a wide diversity of artifacts and faunal remains (Singer and Atwood 1991). Gibson's results coupled

with Singer and Atwood's observations indicate the site contains more than 20 species of shellfish, bone, carbonized organic materials, a variety of chipped stone bifaces and flakes, a mano, a hammerstone, and *Olivella* sp. shell beads and bead manufacturing debris. Many of the items initially inventoried were observed in 1998. In addition, a groundstone bowl rim fragment was found. The site boundary was slightly increased to the southeast to include a larger area east of the canyon drainage. The site's large size, depth, and high density and diversity of cultural materials indicate the site functioned as a prehistoric residential base over a considerable length of time.

CA-SLO-890 – The site was found to be located outside of The Preserve development boundary. R.O. Gibson recorded it in 1979. The City of Shell Beach and Mr. Gibson, who last visited the site in November 1997, have monitored the ongoing construction development encompassing this site area. Discussion and a site tour by Mr. Carbone and a representative of Charles Pratt Construction, the property owner, verified that the site has been capped and preserved with three feet of fill deposits.

CA-SLO-1343 – The site was initially described as a shell midden with a light concentration of heavily weathered and fragmented shell and a few burnt rocks and several basalt flakes located at the base (or toe) of a ridge. Shellfish remains noted include *Mytilus californianus, Tivela stultorum.*, barnacles, *Haliotus sp. Crepedula* sp., *Saxidomus nuttali* and crab. The 1998 survey found no evidence of a true shell midden (an anthropogenic soil containing relatively high densities of shellfish) and indicates the site should be considered an artifact scatter. The present study also modified the site boundary. The site area was slightly expanded to the west and south beyond the barbed wire fence that demarcates the southern property boundary. This resulted from the discovery of shellfish remains and a large quartzite scraping tool found south of the fence. There was also unrecorded chert debitage within the previously delineated site boundary.

CA-SLO-1344 – The site was originally recorded as containing two artifact concentrations. The primary cluster contained two Monterey chert flakes, a large mammal bone fragment, and *Tivela stultorum* and *Saxidomas nuttali* shellfish fragments. A second small concentration of shellfish (*Mytilus californianus, Tegula funebralis, Septifer bifurcatus,* and *Tivela stultorum*) was reported 40 meters to the east. As is the case with CA-SLO-890, this site was found to be outside

of The Preserve project. Charles Pratt Construction has capped it with 5 feet of fill during development operations.

CA-SLO-1345 – This site was relocated, but found to be mis-plotted compared to the site record. The site is actually located approximately 120 meters east of the original mapped plot. This site was recorded as a "small outcrop of gray sandstone with associated shell midden", including *Tivela stultorum*, barnacles, crab, chiton, *Protothaca* sp., *Mytilus californianus*, and *Septifer bifurcatus*. However, the present survey found only an artifact scatter measuring approximately 15 meters (east-west) by 10 meters (north-south) in dimension. There is no indication that the site contains a shell midden soil as defined above. The site may extend south beyond a barbed wire fence that runs along the southern boundary of the project area.

CA-SLO-1346 – The site was recorded as a shell midden with sparse remains, with three chipped stone artifacts of Monterey chert (two flakes and a biface preform fragment). Shellfish remains included *Mytilus californianus* and *Tivela stultorum*. The site was recorded as being between two outcrops of sandstone and shale, with a steel water trough on site. The site was re-surveyed in 1998 and determined to be approximately 150 meters east of the original recorded site locations. Only two shell fragments were noted during the present study. There is no indication that the site contains a true shell midden soil.

CA-SLO-1347 – This site was originally recorded as a concentration of sparse, weathered shellfish remains and one basalt flake just west of a sandstone outcrop located on a terrace overlooking a drainage to the east and the coastal plain to the south. The cultural materials were recorded as being within a dark soil. The site area was easy to relocate in 1998, but no artifacts were seen. Approximately fifty shovel scrapes then were excavated in an attempt to locate the site, but no cultural resources were noted.

CA-SLO-1348 – The site was originally recorded as a shell midden on an elevated marine terrace and adjacent slopes. The only cultural materials noted in 1990 were weathered shellfish remains (predominantly *Tivela stultorum*. and *Tresus* sp.). This site was easily relocated in 1998 due to a major landmark recorded in the original archaeological site record form–a lone oak tree atop a rocky outcrop surrounded by a barbed wire fence installed for protection of the tree. Upon re-survey, the site was found to meet originally recorded dimensions, and additional materials including mussel (*Mytilus californianus)* and scattered chert debitage were observe.

However, the re-survey found no indication of a true shell midden deposit, and it is redefined here as an artifact scatter located on an elongate bench and associated slope on the crest of a finger ridge.

CA-SLO-1349 – The site was described in 1991 as a moderately sized shell midden on a small bench or terrace platform near a sandstone outcrop on the slope below and south of CA-SLO-1348. The site was recorded as a concentration of shellfish remains (*Tivela stultorum, Mytilus californianus* and crab) and a small amount of chert debitage on a terrace located 280 feet above mean sea level. In 1998 the site was relocated on a bench of a finger ridge crest approximately 150 meters southeast of CA-SLO-1348. The present survey confirmed the recorded site description, but an elevation correction was made from the previously recorded 280 feet to 340 feet AMSL. Based on surface indications, SLO-1349 appears to contain the densest shell concentration among all of the sites within the project area. The present survey also identified abalone (*Haliotus* sp.) and barnacle.

CA-SLO-1350 – The site was recorded as a light concentration of weathered shellfish fragments (primarily *Tivela stultorum.*) and Monterey chert flakes on a marine terrace overlooking a canyon to the east and the ocean to the south. A dirt road flanks the site's eastern border. The 1998 re-survey identified other materials present, including a large biface preform, cores and core fragments, a point tip (black chert), biface scraper/graver (brown chert), basalt flakes, a thumbnail scraper, a chert scraper plane, and Franciscan chert debitage and small tools (also seen in dirt road). The site boundary was found to extend to the opposite side (east) of the dirt road, and now forms the northeast site boundary, not previously recorded. Although the lithic inventory was significantly increased, no shell remains observed were seen during the re-survey. This may be a factor of the dense vegetation conditions present at the time, but the total absence of shell suggests the site record may be in error in describing this site as a "shell midden" in a formal sense.

DISCUSSION

The present survey largely confirmed the results of the previous survey of the project area (Singer and Atwood 1991), but also revised a number of site boundaries, corrected several locations or elevations, and slightly expanded the inventory of artifact types at some sites. The present survey also noted that, although the earlier survey recorded many of the sites as "shell

middens", in most cases it is more accurate to refer to these sites as "artifact scatters", "shell scatters" or "shell and lithic scatters". It is true that relatively dark A horizon soils are found exposed on the surface of some sites, but most of these appear to be natural rather than anthropogenic in origin and are not associated with high densities of shellfish or other artifacts. Midden soils often form over a long period of time and usually indicate a residential site such as a village or seasonal base camp or a special purpose shellfish collecting and processing site. With the probable exception of SLO-80, sites in the project area do not appear to merit descriptions as shell middens. Many of them seem to consist of low density and low diversity artifact scatters and most likely formed as a result of relatively brief occupations.

POTENTIAL PROJECT IMPACTS AND RECOMMENDATIONS

The Preserve project is in a conceptual stage of design and the exact locations of project-related ground disturbance and direct impacts to cultural resources remain to be finalized. A visual comparison of site locations plotted on the 1 inch=300 feet project map with conceptual areas of development shown on a colored version (dated 1/27/98), suggest that up to eight archaeological sites could be directly affected by project construction. Sites that cannot be avoided by the project will require a Phase II Archaeological Evaluation to determine if they are important archaeological resources as defined by CEQA Appendix K and other relevant criteria. Archaeological resources are primarily evaluated for their heritage value and potential to contribute scientifically important data to the study of prehistory or history. Resources that lack such data and otherwise are considered unimportant need no further consideration or study prior to construction. Impacts to significant resources may require capping, avoidance through project design, data recovery excavations, construction monitoring or other feasible mitigations designed to avoid or reduce project impacts to a less than significant level.

Exhibit 5
(14 of 18)

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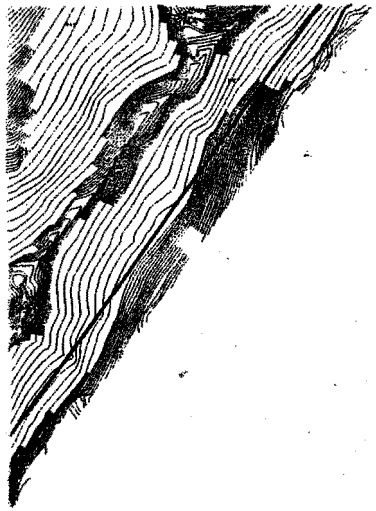


"The Preserve" Boundary

Contour Lines

Archaeological Sites

March 1998

N

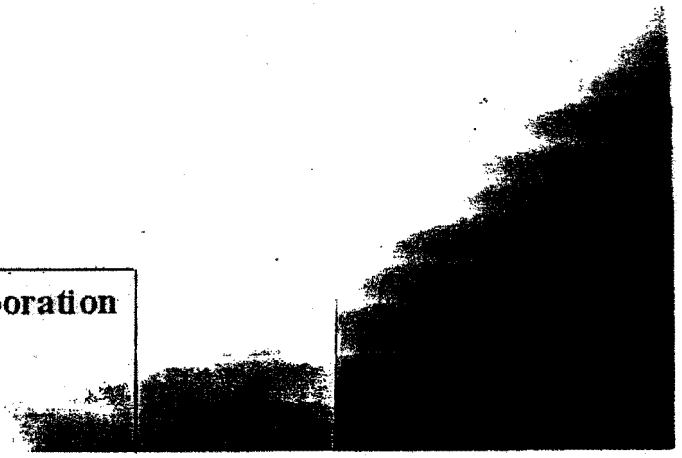
200 0 200 400 Meters

700 0 700 1400 Feet

1"

SAIC
An Employee-Owned Company

Science Applications International Corporation
816 State St.
Santa Barbara, CA 93101
(805)966-0811 FAX: (805)965-6944



This is a portion of a large map from "The Preserve" archaeol. report

Exhibit 5 (17 of 18)

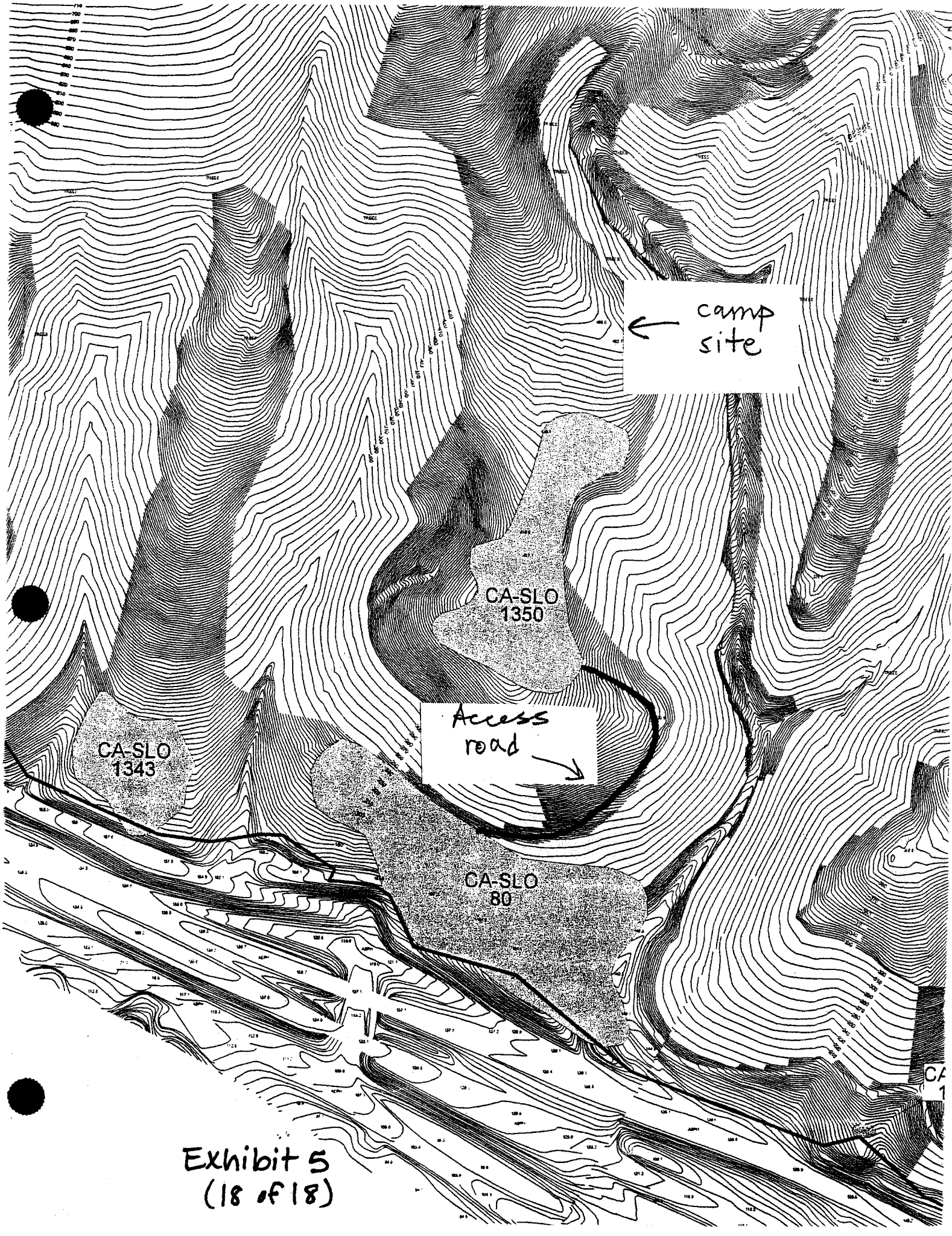


Exhibit 5
(18 of 18)

Friday, April 21, 2000

Renee Brook
Coastal Commission
725 Front Street Suite 300
Santa Cruz, CA 95060

re: Appeal No. A-3-SLO-00-025

Dear Renee:

I previously appeared before the California Coastal Commission regarding a tented resort project in Cambria, Ca. The "demonstration camp" consisted of four campsites and an amphitheater. I would like to thank you and the Commission for its unanimous support of this project.

Subsequent to the approval, the landowners made other arrangments which negated my ability to move forward on this property. I decided to significantly downsize the project and located another piece of property. The purpose is to use a single unit to determine feasibility of an upscale, environmentally-friendly tented resort.

I negotiated an agreement with the landowner to construct a single unit on a temporary basis. The landowner has other plans for his property. I applied for and received a minor use permit. There was no opposition to the project. Recently I received an appeal from Commisioners Wan and Nava. At this time, I would like to address your concerns.

1. **On-site water**. There is an existing well, approximately 800 feet from site that has been tested at 300 gpm. We would be happy to utilize this resouce. My rationale for trucking water was simply to demonstrate the temporary nature of this project.

2. **Scenic Resouces and Visual Policies**. The site is set well back from the hillside and is adjacent to a thick grove of trees. The campsite is invisible from Pismo Beach or any surrounding areas or roads.

We will be utilizing an existing road. The only grading is at the entrance which serves to circumvent an archeological site (CA-SLO 80). Only a short portion of the existing road is visible from Highway 101 and it is difficult to detect.

3. **Archeological Resources Study**. The only grading of the road is a small improvement which serves as a transition from the public road to allow adequate fire truck access. The existing road passes through CA-SLO 80 while the submitted improvement serves to circumvent this sensitive area. There will be no grading or cutting in the archeological areas. To ensure this, the county has required an archeological evaluation and approval prior to any work being done.

Attached is a site map and photos which support the above points. Thank you for your consideration.

Sincerely,

Bill Wesnousky

Bill Wesnousky

Exhibit 6
(1 of 4)

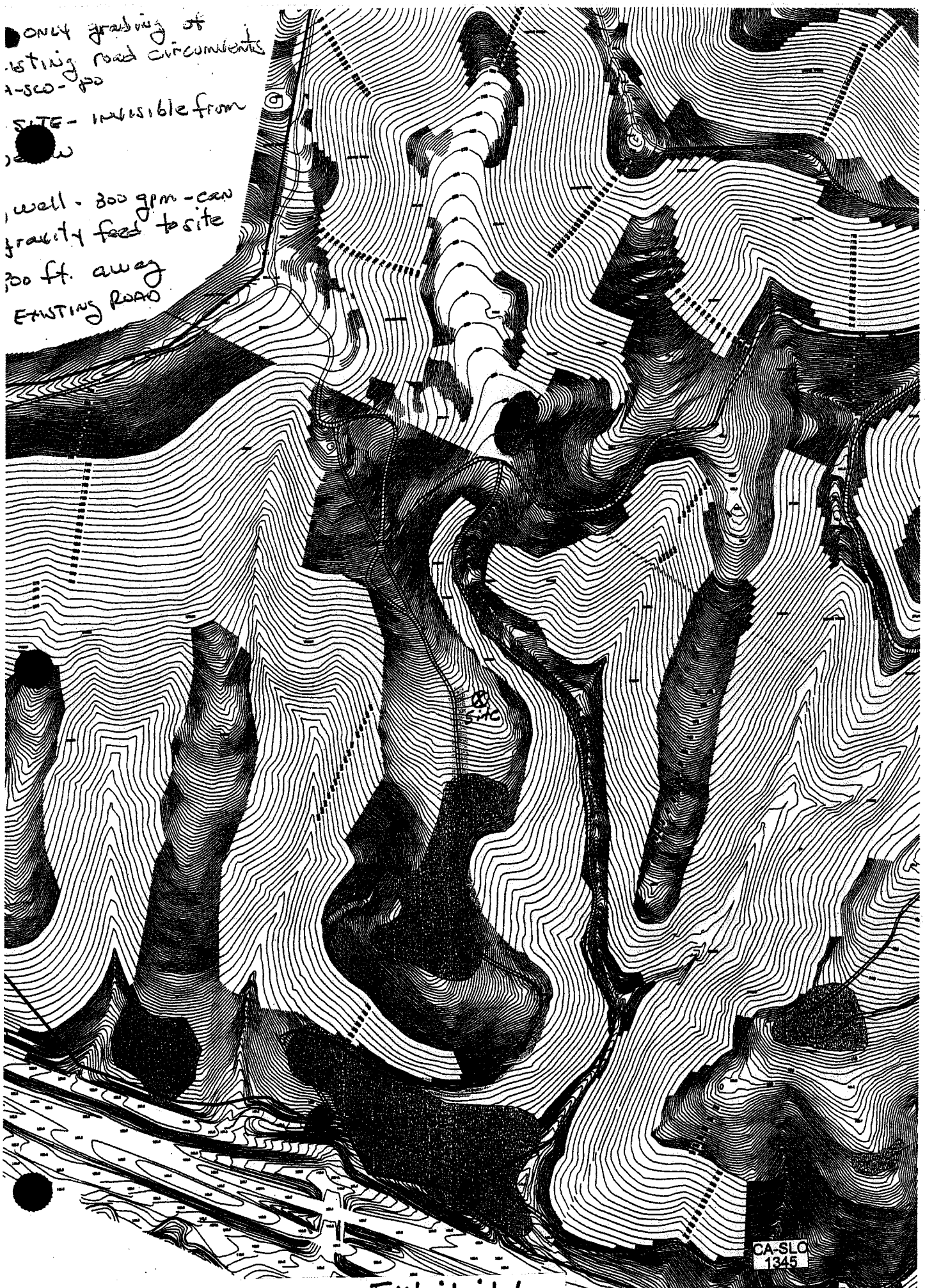
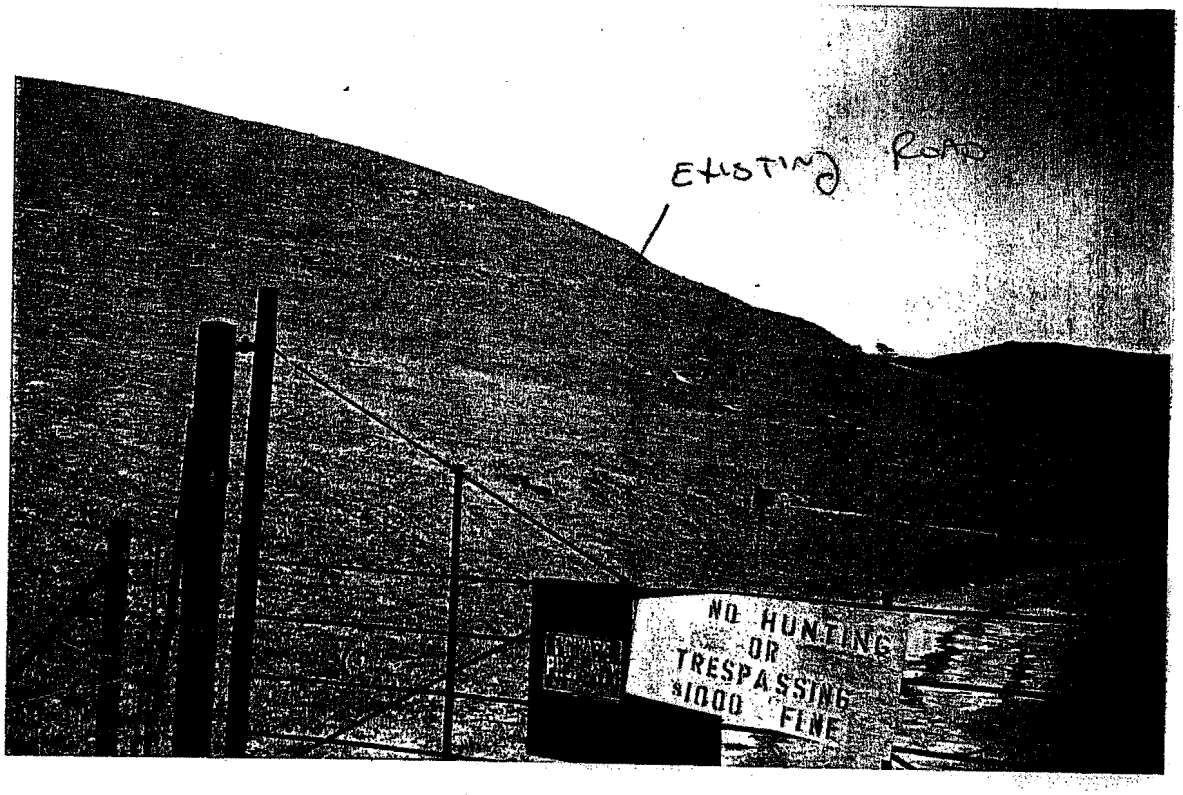
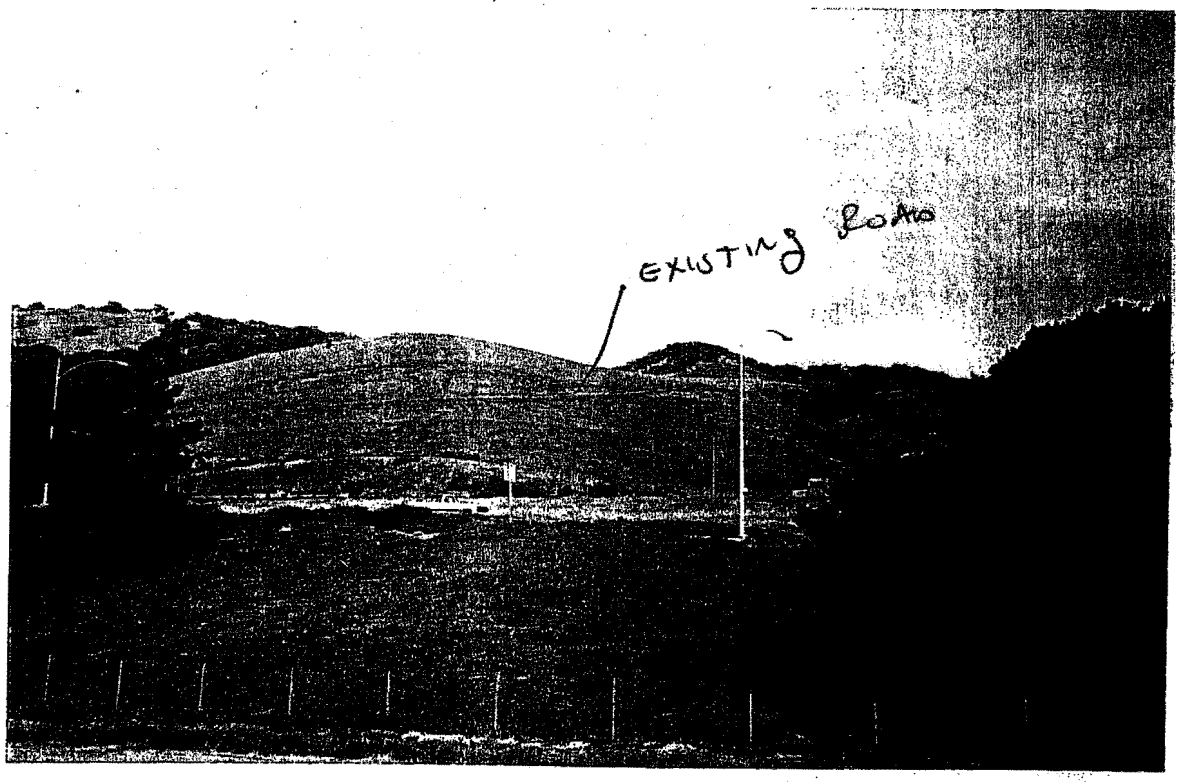


Exhibit 6
(2 of 4)



Picture 1. shows the existing road to the entrance of the property. The only grading of the existing road will done here. If you refer to the attached topo, you will see that the improved area circumvents archeological site CA-SLO 80 whereas the existing road passes through it. Also pictured here is the only portion of the existing road that is visible from below.



Picture 2. shows the existing road from across Highway 101. This is the only portion of the road that is visible. There will be no cutting, widening or grading of any of the existing road.

Exhibit 6
(3 of 4)

Well 2

The ability of the aquifer to transmit water to a well is evaluated herein in terms of water level drawdown per log cycle of time. Water level fluctuations have been projected under severe (drought) conditions to estimate the well yield. The maximum available drawdown in Well 2 is assumed to be the difference between the drought static water level and the top of the main water bearing zone. The drought static water level in Fall 1989 was about 147 feet bgs (compared to 83.3 feet bgs measured Spring 1997). The major water producing zone in Well 2 begins at about 220 feet bgs. Long-term pumping water levels in Well 2 should be limited to above 220 feet bgs to preventing dewatering of the main water bearing zones. Therefore, the maximum available drawdown in Well 2 would be 75 feet. Assuming the well must be operated for one year continuously before recharge to the well occurs (about 5.5 log cycles of time beginning at 10 minutes), and allowing 20 feet drawdown during the first 10 minutes of pumping based on pump test data, the allowable rate of water level decline in the well over the year would be about 10 feet per log cycle of time (55 feet over 5.5 log cycles).

An estimate of drawdown in Well 2 is obtained from the results of a 48-hour constant discharge test conducted at in October 1988. The rate of water level decline in the well prior to dewatering the main aquifer zone was about 35 feet per log cycle of time at 300 gpm. The proportional rate of discharge that would produce a 10-foot water level decline per log cycle at Well 2 would be about 85 gpm, equivalent to about 137 acre-feet per year (afy). As previously mentioned, this yield does not take into account water level interference from pumping at Well 1, potential storage limitations or restrictions from recharge.

Well 1

The information available on Well 1 indicates that the most productive zone tapped by the well is between 180 feet and 205 feet bgs. During long-term usage pumping water levels in Well 1 should remain above about 180 feet bgs to prevent dewatering of the main aquifer zone. The drought water level static for the well is about 130 feet bgs (compared to 68.55 feet bgs measured March 5, 1997). For the purpose of estimating a long-term yield estimates, the maximum drawdown available to Well 1 is assumed to be 40 feet. During a 72-hour discharge test conducted in September, 1988, final rate of water level decline prior to dewatering of the main aquifer zone was about 45 feet per log cycle at 300 gpm.

Given 40 feet of available drawdown, and allowing 6 feet of drawdown during the first 10 minutes of pumping based on pump test data, the allowable drawdown in the well would be about 6 feet per log cycle of time. Using a rate of 45 feet of decline in water level per log cycle of time at 300 gpm, the proportional rate of discharge that would produce a 6 feet water level decline per log cycle at Well 1 would be about 40 gpm, equivalent to 65 afy. As for Well 2, this yield does not take into account water level interference, potential storage limitations or restrictions from recharge.

To: Jessical Kahel

From: Bill Wesnousky

Re: Developer's Statement
D980252

@Camp! is an environmentally friendly, hi-tech camping concept. The heart and soul of the concept are the "camp-sites" which are built on decks to minimize grading. Each campsite includes a fabric structure and a "clubhouse."

The fabric structure houses the sleeping quarters and the clubhouse provides restroom, shower, changing facilities and a small personal gym.

Solar panels with backup generators will supply the electricity. Water will be supplied from a 4000 sq. ft. water tank to be located adjacent to the campsite. Water will be trucked to the site by A&P Water Trucks which is located in Pismo Beach. Solids for portable toilets would be pumped into a nearby holding tank and removed by truck as needed (No septic system)

We are proposing to build one, portable camp-site for a period of about 2 1/2 years. Once removed, we do not expect any site disturbance. The purpose of this exercise is to test the concept in terms of year round functionability and guest satisfaction.

Guests will not be allowed to take personal vehicles on site. Our staff will transport them in our vehicles. Guests will stay for two nites. There are no food facilities in the structures, so staff will deliver breakfast and lunch,. Guests will dine at surrounding restaurants for the evening meals.

When guests stay overnight, a staff person will be on call at all times. They will be accessed via beeper or cell phone. We expect the campsite to be guest occupied approximately 50% of the time. When the campsite is not occupied by guest, our staff will monitor the structure until nightfall at which time they will vacate the premises.

When guest-occupied, we would expect there to be approximately 4 to 5 trips per day. When not occupied, there would be maybe 2 trips per day. Factoring in water delivery, solid removal, transporting guests and staff trips, I would guess there would be, on average, about 2 to 4 total trips per day.

Exhibit 7
Developer's Statement

EXHIBIT B
CONDITIONS OF APPROVAL - D890147P - WESNOUSKY

Provided that a finding of consistency is made and the application ultimately approved, staff recommends the following conditions be established.

Authorized Use

1. This approval authorizes the establishment of a temporary (approximately 2.5 years), portable, one-unit campsite with a portable toilet and imported water supply. The project will also include improving a portion of an existing unpaved access road as shown on the approved site plan.

Site Development

2. Site development shall be consistent with a the approved site plan.

3. **Prior to issuance of construction permits,** the applicant shall submit for the review and approval of the Environmental Coordinator (and possibly subject to peer review), a detailed research design for a Phase III (data recovery) archaeological investigation. The Phase III program shall be prepared by a subsurface qualified archaeologist approved by the Environmental Coordinator. The consulting archaeologist responsible for the Phase III program shall be provided with a copy of the previous archaeological investigations (SAIC, September, 1998; Rudolph, 1983; Gibson, 1983; Singer and Atwood, 1991). The Phase III program shall include the following at minimum:

    a. standard archaeological data recovery practices;

    b. recommendation of sample size adequate to mitigate for impacts to archaeological site, including basis and justification of the recommended sample size. Sample size should be between 7 - 15% of the volume of disturbed area;

    c. identification of location of sample sites/test units;

    d. detailed description of sampling techniques and material recovery procedures (e.g. how sample is to be excavated, how the material will be screened, screen size, how material will be collected);

    e. disposition of collected materials;

    f. proposed analysis of results of data recovery and collected materials, including timeline of final analysis results;

    g. list of personnel involved in sampling and analysis.

Exhibit 8
(1 of 2)

4. **Prior to issuance of construction permits,** the applicant shall submit to the Environmental Coordinator, a letter from the consulting archaeologist indicating that all necessary field work as identified in the Phase III program has been completed.

5. **Prior to issuance of construction permits,** the applicant shall submit a monitoring plan prepared by a subsurface qualified archaeologist, for the review and approval of the Environmental Coordinator. The monitoring plan shall include:

   a. List of personnel involved in the monitoring activities;
   b. Description of how the monitoring shall occur;
   c. Description of frequency of monitoring (e.g. full-time, part time, spot checking);
   d. Description of what resources are expected to be encountered;
   a. Description of circumstances that would result in the halting of work at the project site (e.g. What is considered "significant" archaeological resources?);
   b. Description of procedures for halting work on the site and notification procedures;
   c. Description of monitoring reporting procedures.

6. **During all ground disturbing construction activities,** the applicant shall retain a qualified archaeologist, approved by the Environmental Coordinator, and Native American to monitor all earth disturbing activities, per the approved monitoring plan. If any significant archaeological resources or human remains are found during monitoring, work shall stop within the immediate vicinity of the resource (precise area to be determined by the archaeologist in the field) until such time as the resource can be evaluated by an archaeologist and any other appropriate individuals. The applicant shall implement the mitigations as required by the Environmental Coordinator.

7. **Upon completion of all monitoring/mitigation activities, and prior to occupancy or final inspection, whichever occurs first,** the consulting archaeologist shall submit a report to the Environmental Coordinator summarizing all monitoring/mitigation activities and confirming that all recommended mitigation measures have been met. If the analysis included in the Phase III program is not complete by the time final inspection or occupancy will occur, the applicant shall provide to the Environmental Coordinator proof of obligation to complete the required analysis.

8. **At the time the use ends**, the applicant shall remove all structures and shall restore the campsite area to its condition prior to establishment of the use. This shall include establishing plant cover in bare areas to prevent erosion and allow for the continued use of the site for cattle grazing.

Exhibit 8
(2 of 2)